

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

THE ESTATE OF GERALDINE)	
TOPOLNICKI, et al.)	
)	
v.)	Civil Action No. 3:15-0058
)	Judge Haynes/Knowles
BANK OF AMERICA, N.A., et al.)	

REPORT AND RECOMMENDATION

This matter is before the Court on the Order entered by the undersigned on April 15, 2015. Docket No. 21. Plaintiff, the Estate of Geraldine Topolnicki, was directed to retain counsel pursuant to 28 USC § 1654. The Order required the individual plaintiffs Jeanne Wood and Michelle Topolnicki to notify the Court within 20 days that they would either proceed pro se or that they would retain counsel, who was required to enter an appearance within that period of time.

To date, the Court has not received anything from any of the Plaintiffs indicating their status as pro se or whether they have obtained new counsel. Additionally, no attorney has filed a Notice of Appearance for The Estate of Geraldine Topolnicki.

Therefore, the undersigned recommends that this action be dismissed without prejudice for lack of prosecution.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any

response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.

A handwritten signature in black ink, appearing to read "E. Clifton Knowles", is written over a horizontal line.

E. CLIFTON KNOWLES
United States Magistrate Judge